Report of the Chief Electoral Officer on
Recommended Changes to the boundary between
the Electoral Districts of
Bedford and Waverley-Fall River-Beaver Bank
(*House of Assembly Act*)

Introduction

The provincial general election held on August 5, 2003, was the first election conducted on the revised provincial electoral boundaries put into place in 2002, following the work of the Nova Scotia Provincial Electoral Boundaries Commission. The revised boundaries were enacted by Chapter 34 of the Acts of 2002, as amendments to the *House of Assembly Act*.

Following from the recommendations of the Provincial Electoral Boundaries Commission, a new Section 5A was added to the *House of Assembly Act* which authorizes the Chief Electoral Officer to recommend to the House of Assembly minor changes in the current electoral boundaries before the next Provincial Electoral Boundaries Commission is required to be constituted, in 10 years time.

The Chief Electoral Officer's report must be laid before the House and its recommendations considered in accordance with Section 5A of the *House of Assembly Act*:

> *5A (1) The Chief Electoral Officer may prepare, for approval by the House, a report recommending changes in the boundaries for the electoral districts comprising the House if, in the opinion of the Chief Electoral Officer, the transfer of electors from one of those electoral districts to another contiguous electoral district would improve the administration of the elections in those electoral districts.*
>
> *(2) The changes recommended by the report must not alter the number of electors in any electoral district by more than three hundred as reckoned using the most recent voters' lists.*
>
> *(3) The report of the Chief Electoral Officer shall be laid before the House, if the House is then sitting, and the Premier, or the Premier's designate, shall table the report in the House on the next sitting day.*
>
> *(4) If the House is not sitting when the report of the Chief Electoral Officer is completed, the report shall be filed with the Clerk of the House and the Premier, or the Premier's designate, shall table the report in the House within ten days after the House next sits.*
>
> *(5) Within ten sitting days after the report of the Chief Electoral Officer is tabled in the House pursuant to subsection (3) or (4), the Government shall introduce legislation to implement the recommendations contained in the report.*
>
> *(6) If the changes recommended by the report of the Chief Electoral Officer are approved by the House, they have effect on and after the next dissolution or the next determination by the effluxion of time of the House.*

Background

Two of the new electoral districts created in 2002 were Bedford and Waverley-Fall River-Beaver Bank. These electoral districts are contiguous with the boundary line between them over a discrete distance running down the center line of Rocky Lake Drive (Route 2). The placement of this

boundary means that the electors on the north side of Rocky Lake Drive are in Bedford, and those on the south side are in Waverley-Fall River-Beaver Bank.

On the south side, the properties that front on Rocky Lake Drive are located between the street and the main CN railway line. The railway line runs behind these properties from that place where the railway line intersects the Bedford Bypass continuing northward to that place where the railway line next intersects Rocky Lake Drive. Approximately 25 residences are on the south side of Rocky Lake Drive in this discrete area and the 2003 voter's list (post election with revisions) shows it contains approximately 50 electors.

Historically, properties on the south side of Rocky Lake Drive in this area were within the former Town of Bedford. These residences on the south side of Rocky Lake Drive are also isolated from the remainder of the electoral district of Waverley-Fall River-Beaver Bank. The railway line cuts these properties off from the surrounding lands.

Future development potential is a consideration in evaluating the status of this boundary, because the current electoral boundaries are in place until 2013. The land behind these properties to the south is currently undeveloped. Part of this land is owned by Municipal Enterprises Ltd and being used as a working quarry. Another parcel is owned by the St. Paul Home for Girls. There are no pending development plans currently on file with Halifax Regional Municipality for either of these properties.

Details described above are shown on the accompanying maps.

The electors on the south side of Rocky Lake Drive in this discrete area were required to vote nearly 7 kilometers away from their residences at a location in Waverley, a considerable distance for an urban electoral district. The polling station in Bedford electoral district is only a short distance away from Rocky Lake Drive. The small size of the area means that a polling station is unlikely to be established to serve only these residences.

Because of the location of the railway line and the current use of the nearby properties, it is unlikely that further development will take place in close proximity to these residences. They will continue to be isolated from the remainder of Waverley-Fall River-Beaver Bank.

During the review of this boundary issue, it was noted that there were incorrect references in the legal descriptions of the two electoral districts to 'Rocky Lake Road' rather than 'Rocky Lake Drive'. These should be corrected.

Consultation

The Returning Officers for Bedford and Waverley-Fall River-Beaver Bank respectively, have been consulted, and both support the transfer of these electors to the electoral district of Bedford. Both describe this discrete area as being properly identified with the community of Bedford.

Members of the Legislative Assembly for Bedford and Waverley-Fall River-Beaver Bank respectively were also consulted and both support the recommended change in boundaries.

Considerations

Having a small pocket of electors in an electoral district who are physically isolated from the main population of the remainder of the electoral district does make administration of the election more difficult. Electors must travel a longer distance to access a polling station. The former Chief Electoral Officer in office during the August 2003 general election was made aware that electors were confused about which electoral district they were in, and were surprised to discover that they were not in the Bedford district. The change recommended below would improve the administration of the elections in both Bedford and Waverley-Fall River-Beaver Bank.

The electoral district of Bedford is currently one of the larger electoral districts in the Province, having a voter's list (following the August 5, 2003 election day revision) of 15,019. It was projected to be the second largest in the Province (119.6% of the average) by the Provincial Electoral Boundaries Commission. The projected number of electors for Bedford was estimated at 15,944. Waverley-Fall River-Beaver Bank had a voter's list (following the August 5, 2003 election day revision) of 13,644, slightly more than the provincial average (101.2%). The projected number of electors in the Provincial Electoral Boundaries Commission Report for Waverley-Fall River - Beaver Bank was 13,490. The addition of approximately 50 electors to Bedford will not affect the 25% factor above or below which an electoral district population should not vary over the average. That factor was the amount by which the terms of reference for the Provincial Electoral Boundaries Commission stated that electoral districts should not deviate from the average.

Clearly, the approximately 50 electors affected is considerably below the maximum 300 that can be affected by any recommended change in electoral boundaries.

Recommendation

It is recommended, in accordance with Section 5A of the *House of Assembly Act*:

(i) that an amendment be made to the *House of Assembly Act* which will have the effect of altering the boundary between the electoral districts of Bedford and Waverley-Fall River-Beaver Bank so that the boundary lies along the railway line behind the properties on the south side of Rocky Lake Drive, from that place where the railway line intersects the Bedford Bypass continuing northward to that place where the railway line next intersects Rocky Lake Drive;

(ii) that the following are the recommended descriptions of the new boundaries for Bedford and for Waverley-Fall River-Beaver Bank (changes are highlighted):

Bedford, consisting of, in the County of Halifax,

that part of Halifax Regional Municipality bounded by a line described as follows: starting at the shore of Bedford Basin (Sherwood Point); then southwest along a line to the intersection of Crest Road and Tremont Drive; then southwest along a line to the intersection of Farnham Gate Road and Dunbrack Street; then southwest along a line running parallel to and excluding Farnham Gate Road to a point east of Scotch Pine Terrace; then northwest along a line running parallel to Edward Laurie Drive to a point approximately 750 m south of the Kearney Lake Road and Dunbrack Street interchange on Highway 102; then southwest along a line passing through the southern portion of Washmill Lake to the southern shore of Ash Lake; then north along Ash Lake to the northern shore of Ash Lake; then northeast along a straight line passing through the northern shore of Charlies Lake and across Kearney Lake to a point on the Kearney Lake Road approximately 1.7 km northwest of the Kearney Lake Road and Highway 102 interchange; then northeast along a straight line to a point on Highway 102 approximately 1.8 km north and northwest of the Kearney Lake Road and Highway 102 interchange; then northwest along Highway 102 approximately 2.1 km; then west along a straight line to a point on Bluewater Road approximately 140 m north of the intersection of Kearney Lake Road; then northwest along a straight line to a point on Hammonds Plains Road approximately 335 m east of the intersection of Kearney Lake Road; then northeast along a straight line passing approximately 345 m west of Marsh Lake to the Sackville River; then southeast along the various courses of the Sackville River and Little Sackville River to Highway 101; then southeast along Highway 101 to the Highway 102 interchange; then northeast along Highway 102 to Sucker Brook; then northeast along Sucker Brook to Rocky Lake; then east along the shore of Rocky Lake passing through the Canadian National Railway causeway to Rocky Lake Drive; then southwest along Rocky Lake Drive approximately 1.8 km to the Canadian National Railway line; then southwest along the Canadian National Railway line approximately 1.4 km to the Bedford Bypass; then southeast along the Bedford Bypass and Windmill Road to Wright Brook; then southwest along Wright Brook to the shore of Bedford Basin; then southwest across Bedford Basin to the shore of Bedford Basin (Sherwood Point);

Waverley-Fall River-Beaver Bank, consisting of, in the County of Halifax,

(i) that part of Halifax Regional Municipality bounded by a line described as follows: starting where Wright Brook meets Windmill Road; then northwest along Windmill Road and Bedford Bypass to the Canadian National Railway line; then northeast along the Canadian National Railway line approximately 1.4 km to Rocky Lake Drive; then northeast along Rocky Lake Drive approximately 1.8 km; then west along the shore of Rocky Lake passing through the Canadian National Railway causeway and the shore of Rocky Lake to Sucker Brook; then southwest along Sucker Brook to Highway 102; then northeast along Highway 102 a distance of approximately 1.72 kms to a point west of Lakeview Road; then northwest along a line running parallel to and including both sides of Lakeview Road to a point southeast of Cobequid Road; then southwest along a line running parallel to and

including both sides Cobequid Road a distance of approximately 235 m; then northwest along a straight line to the centre line of Cobequid Road; then southwest along the centre line of Cobequid Road approximately 30 m; then northwest along a straight line a distance of 100 m; then northeast along a line running parallel and including both sides of Cobequid Road a distance of approximately 400 m to the Canadian National Railway line to a point approximately 100 m north of the Cobequid Road; then northwest along the Canadian National Railway line to a point south of Cottage Lane; then west and northwest through Second Lake to the prolongation of Ashlea Drive; then northeast along the prolongation of Ashlea Drive to the Beaver Bank - Windsor Junction Cross Road; then northwest along the Beaver Bank - Windsor Junction Cross Road to the Beaver Bank Road and the W and H Railway line; then northwest along the W and H Railway line to the Hants County and Halifax County Boundary; then northeast along the various courses of the Hants County and Halifax County boundary to Highway 102; then south along Highway 102 to a point 300 m from Aerotech Drive; then southeast along a straight line to Preeper Pond; then southwest and south along the brook joining Preeper Pond to Soldier Lake approximately 5.4 km; then east along a straight line to Three Mile Lake; then south along a line passing through Ernst Lake and Little Duck Lake to Long Duck Lake; then southwest along Long Duck Lake and the Long Duck Brook to East Lake; then south along East Lake to the unnamed brook flowing into Lake Major; then southeast along Lake Major 1.3 km; then southwest along a straight line passing north of Burnhope Drive to Barrys Run; then southwest along Barrys Run to Lake Charles; then north and northwest along Lake Charles to the northern shore of Lake Charles; then west along a straight line to where Marshall Brook meets the Canadian National Railway line; then southwest along the Canadian National Railway line approximately 3.9 km to Wright Brook; then southwest along Wright Brook to Windmill Road,

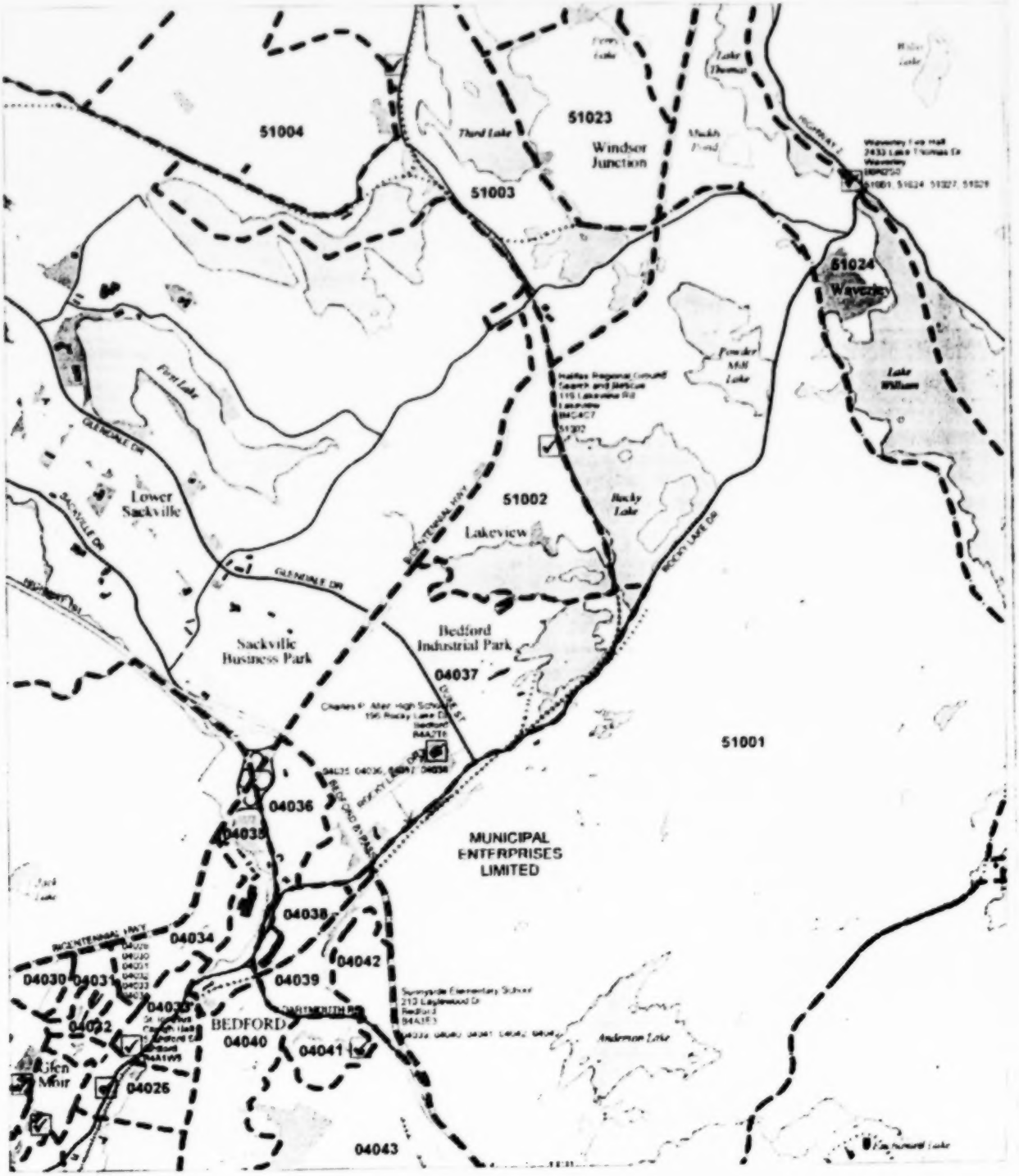
and

(iii) that all references in the current descriptions to 'Rocky Lake Road' be corrected to read 'Rocky Lake Drive'.

Dated at Halifax this 28th day of April, 2004

Respectfully submitted,

Christine McCulloch, Q.C.
Chief Electoral Officer


51004
51023
Windsor Junction
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51024
Waverley
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Lakeview
Lower Sackville
Sackville Business Park
Bedford Industrial Park
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MUNICIPAL ENTERPRISES LIMITED
04036
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BEDFORD
04040
04041
Glen Moir
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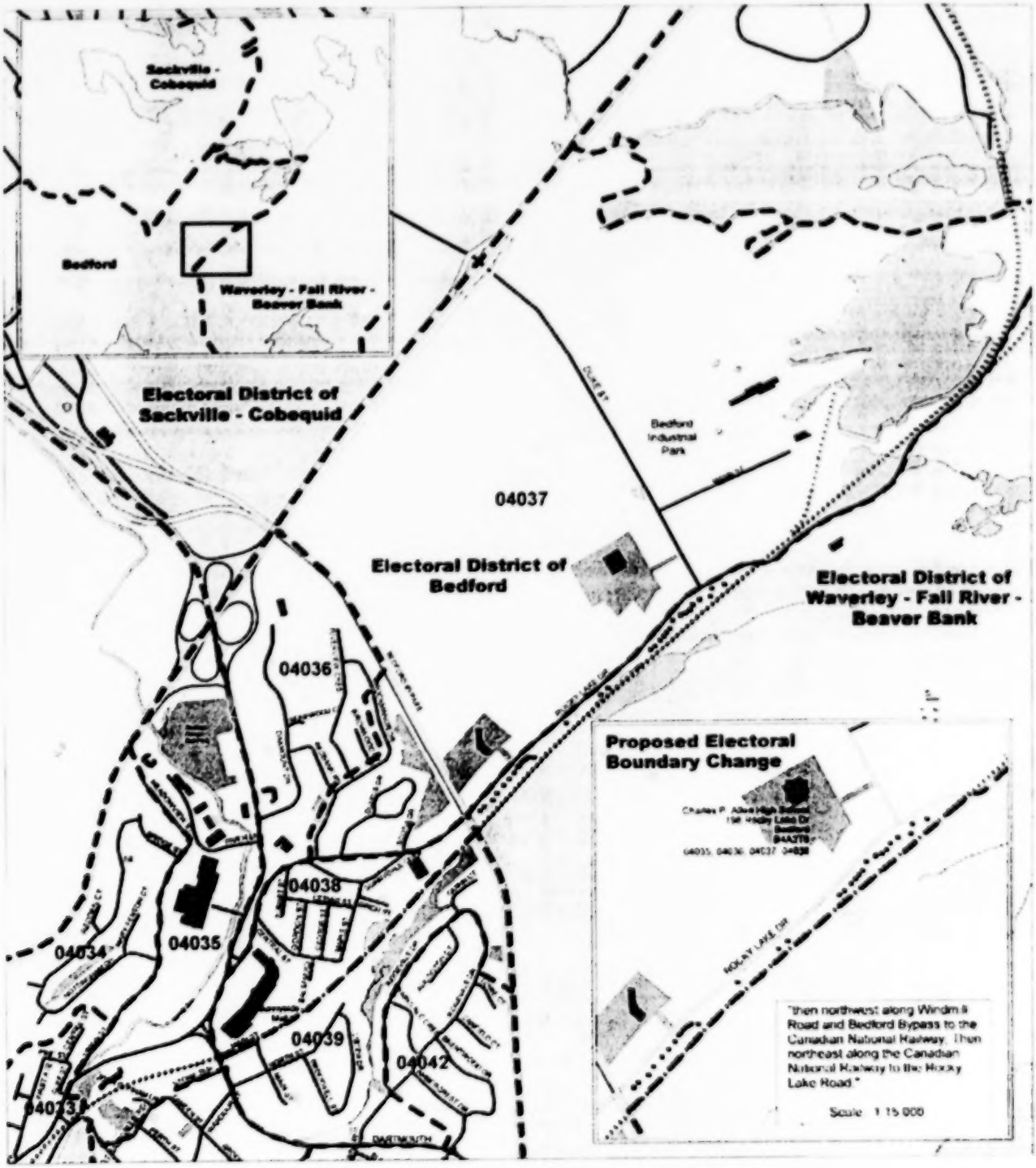
Third Lake
Fort Lake
Lake Thomas
Lake William
Fowler Mill Lake
Rocky Lake
Anderson Lake
Sackville Dr
Glendale Dr
Rocky Lake Dr
Bedford Hwy
Windsor Hwy


Sackville - Cobequid
Bedford
Waverley - Fall River - Beaver Bank
Electoral District of Sackville - Cobequid
Bedford Industrial Park
04037
Electoral District of Bedford
Electoral District of Waverley - Fall River - Beaver Bank
04036
04038
04034
04035
04039
04042
04033
Proposed Electoral Boundary Change
"then northwest along Windmill Road and Bedford Bypass to the Canadian National Railway. Then northeast along the Canadian National Railway to the Rocky Lake Road."
Scale 1:15,000